



**CITY COUNCIL
ATLANTA, GEORGIA**

City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

Z-04-54
5-11-04

04-0 -1138

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA
as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta, Georgia be amended and the maps established in connection therewith be changed so that the following property located at **972-980-990-1000-1022 Marietta Street, N.W.**, be changed from the **I-1-C (Light Industrial-Conditional) & I-2 (Heavy Industrial)** Districts to the **LW (Live Work)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 112 of the 14th District of **Fulton** County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinance or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Deputy Municipal Clerk

ADOPTED by the City Council
APPROVED by the Mayor

SEPT 07, 2004
SEPT 15, 2004



May 10, 2004

LEGAL DESCRIPTION

MAY 11 2004
CLERK OF
FULTON COUNTY
04-54

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 112 OF THE 1ST DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY LINE OF LAND LOT 112 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF MARIETTA STREET (60 FEET RIGHT-OF-WAY); THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE OF MARIETTA STREET SOUTH 66 DEGREES 48 MINUTES 42 SECONDS EAST A DISTANCE OF 235.50 FEET TO A ½" REBAR SET, SAID POINT BEING THE **POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE OF MARIETTA STREET THE FOLLOWING COURSES AND DISTANCES: SOUTH 66 DEGREES 48 MINUTES 42 SECONDS EAST A DISTANCE OF 349.92 FEET TO A ½" REBAR SET, ALONG A CURVE OF AN ARC TO THE RIGHT A DISTANCE OF 98.88 FEET (SAID ARC HAVING A RADIUS OF 507.75 FEET AND A CHORD BEARING SOUTH 61 DEGREES 44 MINUTES 35 SECONDS EAST AND A DISTANCE OF 98.72 FEET) TO A P.K. NAIL FOUND, ALONG A CURVE OF AN ARC TO THE RIGHT A DISTANCE OF 71.23 FEET (SAID ARC HAVING A RADIUS OF 519.02 FEET AND A CHORD BEARING SOUTH 52 DEGREES 59 MINUTES 07 SECONDS EAST AND A DISTANCE OF 71.18 FEET) TO A ½" REBAR SET (SAID ½" REBAR SET 2.14 FEET NORTHWESTERLY FROM A ¾" OPEN TOP FOUND) AND ALONG A CURVE OF AN ARC TO THE RIGHT A DISTANCE OF 80.81 FEET (SAID ARC HAVING A RADIUS OF 519.02 FEET AND A CHORD BEARING SOUTH 44 DEGREES 35 MINUTES 35 SECONDS EAST AND A DISTANCE OF 80.73 FEET) TO A POINT (SAID POINT LOCATED 0.24 FEET SOUTHEASTERLY FROM A ¾" OPEN TOP FOUND; THENCE LEAVING SAID RIGHT-OF-WAY LINE OF MARIETTA STREET AND RUNNING ALONG THE SOUTHEASTERLY FACE OF A BRICK WALL SOUTH 32 DEGREES 20 MINUTES 43 SECONDS WEST A DISTANCE OF 397.23 FEET TO A ½" REBAR SET ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF WESTERN & ATLANTIC RAILROAD; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE OF WESTERN & ATLANTIC RAILROAD THE FOLLOWING COURSES AND DISTANCES: NORTH 45 DEGREES 13 MINUTES 16 SECONDS WEST A DISTANCE OF 76.81 FEET TO A ½" REBAR SET, NORTH 45 DEGREES 13 MINUTES 16 SECONDS WEST A DISTANCE OF 74.16 FEET TO A POINT (SAID POINT LOCATED 0.25 FEET NORTHEASTERLY FROM A ½" REBAR FOUND), NORTH 45 DEGREES 13 MINUTES 16 SECONDS WEST A DISTANCE OF 477.60 FEET TO A POINT (SAID POINT LOCATED 1.31 FEET SOUTHEASTERLY FROM A ½" REBAR FOUND); THENCE LEAVING SAID RIGHT-OF-WAY LINE OF WESTERN & ATLANTIC RAILROAD AND RUNNING NORTH 37 DEGREES 32 MINUTES 48 SECONDS EAST A DISTANCE OF 224.13 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL OF LAND CONTAINS 4.5921 ACRES OR 200,031 SQUARE FEET.

RCS# 6009
9/07/04
3:34 PM

Atlanta City Council

Regular Session

MULTIPLE 1291, 1295, 1300, 1102, 1302, 1138

ADOPT

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

B Smith	NV Archibong	Y Moore	Y Mitchell
NV Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

04-0-1138

(Do Not Write Above This Line)

AN ORDINANCE
BY: ZONING COMMITTEE

2-04-54

AN ORDINANCE TO REZONE FROM THE I-1-C (LIGHT INDUSTRIAL-CONDITIONAL) DISTRICT AND THE I-2 (HEAVY INDUSTRIAL) DISTRICT TO THE LM (LIVE WORK) DISTRICT, PROPERTY LOCATED AT 972-980-990-1000-1022 MARIETTA STREET, N.W. FRONTING 600.84 FEET ON THE SOUTHWESTERLY SIDE OF MARIETTA STREET BEGINNING APPROXIMATELY 577 FEET NORTHWESTERLY FROM THE NORTHWEST CORNER OF JEFFERSON STREET (NOW ABANDONED). DEPTH: VARIES; AREA: 4.5921 ACRES; LAND LOT 112, 14th DISTRICT, FULTON COUNTY, GEORGIA. OWNER: NEWPORT INVESTMENT GROUP, LLC

APPLICANT: SAME
BY: CARL E. WESTMORELAND, JR., ATTORNEY
NPU-E COUNCIL DISTRICT

ADOPTED BY

SEP 07 2004

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred: 9/21/04

Referred To: ZRB + Zoning

Date Referred

Referred To:

Date Referred

Referred To:

First Reading
Committee Date: 9/16/04
Chair: Carl E. Westmoreland, Jr.
Referred To: ZRB + Zoning Comm.

Committee Date: 9/16/04
Chair: Carl E. Westmoreland, Jr.
Action: Fav, Adv, Hold (see rev. side)
Other:

Members: [Signatures]
Refer To:

Committee Date: _____
Chair: _____
Action: Fav, Adv, Hold (see rev. side)
Other:

Members: _____
Refer To:

Committee Date: _____
Chair: _____
Action: Fav, Adv, Hold (see rev. side)
Other: _____
Members: _____

Committee Date: _____
Chair: _____
Action: Fav, Adv, Hold (see rev. side)
Other: _____
Members: _____

Refer To

Refer To

FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

ATLANTA CITY COUNCIL PRESIDENT
June 7, 2004
[Signature]

SEP 07 2004
[Signature]

MAYOR'S ACTION
APPROVED
[Signature]
MAYOR